

REMARKS/ARGUMENTS

Non-statutory Double Patenting

Claims 1, 7, 11, 13, 14, 17 and 18 stand as provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 19 and 24-27 of copending Application No. 09/802,120 ("Cited Application"). Applicants note that the Cited Application has the same priority date as the present application. Accordingly, "a one-way determination of obviousness is needed in resolving the issues of double patenting, i.e., whether the invention defined in a claim in the application is an obvious variation of the invention defined in a claim in the patent." MPEP §804(a), Original Eighth Edition, August 2001, Latest Revision May 2004.

The final Office Action properly notes one difference between the claims of the current application and the Cited Application. Specifically, that the program counter register, that is part of a register file, holds a program counter value. The Office generally cites U.S. Patent No. 5,553,095 to Engdahl et al. ("Engdahl") for the proposition that having the program counter in the register file is known and presumably an obvious variation. Applicants respectfully disagree.

Engdahl uses the term "program counter" only once in col. 25, line 30. Engdahl doesn't seem to only indicate that the program counter is a well-known circuit and doesn't say it is part of the register file. Processors typically have a dedicated register called a program counter that is separate from the register file. To say that including the program counter register in the register file is an obvious variation on the current claims is not supported by Engdahl. If this is such an obvious variation, Applicants request a reference teaching the full-limitation be cited. Reconsideration of the non-statutory double patenting rejection is respectfully requested.

35 U.S.C. §102 Rejection, Drabenstott et al.

The Office Action has rejected claims 1, 3, 5, 6, 8-11, 13, 15, 16, 19 and 20 under 35 U.S.C. §102(e) as being anticipated by the cited portions of U.S. Patent No. 6,366,999 to Drabenstott et al. (hereinafter "Drabenstott"). Applicant notes that claims 1, 8, 9, 10, 11, and 18-20 relate to the register file having global and private registers, where global registers have their value propagated through to a plurality of register files. Drabenstott is once again cited for this teaching, but Applicants reiterate that such reliance on this reference is not supportable.

As best understood by the Applicants, the final Office Action takes the position that implicitly there must be some propagation of values in the register file, by citing a "BCAST DATA BUS" 126 in FIG. 1 and the following sentence, "The SP/PE0 controller 125 also is the source of the data that is sent over the 32-bit broadcast data bus 126." Drabenstott, col. 6, lines 34-36. This does not make clear that the four PE CONFIG. REGISTER FILES 127 use this bus 126 to bi-directionally reconcile themselves as the final Office Action seems to suggest.

In FIG. 1, the BCAST DATA BUS 126 is shown connected to a particular sub-block of the SP/PE0 controller 125, specifically a SP LOCAL MEM. & DATA BUS INTERFACE 127 sub-block is connected to three PE LOCAL MEM. & DATA BUS INTERFACES 157, 157', 157" sub-blocks. Further, a bus arrow is used to connect these in a manner that indicates the SP LOCAL MEM. & DATA BUS INTERFACE 127 is the source for the data and the three PE LOCAL MEM. & DATA BUS INTERFACES 157, 157', 157" are the recipients. It is not clear how a change to the third PE LOCAL MEM. & DATA BUS INTERFACES 157" could possibly flow back to the SP LOCAL MEM. & DATA BUS INTERFACE 127 with an omni-directional BCAST DATA BUS 126.

Even though the BCAST DATA BUS 126 is connected to a different sub-block, the Office Action makes a logical leap to conclude that the BCAST DATA BUS 126 must be coupled to the PE CONFIG REGISTER FILE sub-block for all four blocks 101, 151, 153, 155. This does not necessarily follow from Drabenstott. Indeed, it seems more logical that the

BCAST DATA BUS 126 is used to transmit information to the PE LOCAL MEMORY portion of the three PE LOCAL MEM. 7 DATA BUS INTERFACES 157, 157', 157" given the way the BCAST DATA BUS 126 is drawn in FIG. 1.

To take the above-referenced single sentence from Drabenstott and a reference in FIG. 1 and say that the claimed limitation is taught or suggested simply goes too far and is not supported in the reference itself. Frankly, Drabenstott is not definite on what is being transmitted in the BCAST DATA BUS 126 and to presume it is used to reconcile a register file that doesn't even touch the BCAST DATA BUS 126 in FIG. 1 is unreasonable. Even if Drabenstott were definite, the BCAST DATA BUS 126 is drawn omni-directionally and couldn't allow changes in the three lower blocks 151, 153, 155 being propagated to the top block 101. Reconsideration is respectfully requested.

35 U.S.C. §103 Rejection, Drabenstott et al. in view of Masubuchi

The Office Action has rejected claims 2 and 12 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of Drabenstott in view of the cited portions of U.S. Patent No. 5,530,817 to Masubuchi (hereinafter "Masubuchi"). In the final Office Action, there appears to be reliance on Official Notice for motivations to combine Drabenstott and Masubuchi. Final Office Action, first paragraph on the top of page 13. By not citing any reference for this motivation, Applicants can only presume that Official Notice is the basis for the motivation. An express showing of documentary proof is hereby requested to support this stated motivation as the documentary proof procedure is set forth in MPEP §2144.03.

35 U.S.C. §103 Rejection, Drabenstott et al. in view of Ito et al.

The Office Action has rejected claims 4 and 14 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of Drabenstott in view of the cited portions of U.S. Patent

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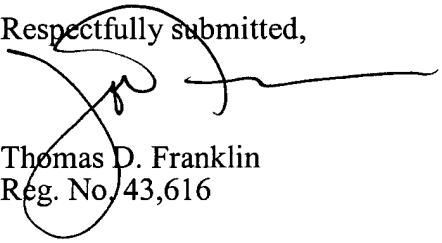
No. 6,615,339 to Ito et al. (hereinafter "Ito"). Once Again, there appears to be reliance on Official Notice for motivations to combine Drabenstott and Ito. Final Office Action, last paragraph on the bottom of page 13. By not citing any reference for this motivation, Applicants can only presume that Official Notice is the basis for the motivation. An express showing of documentary proof is hereby requested to support this stated motivation as the documentary proof procedure is set forth in MPEP §2144.03.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



Thomas D. Franklin
Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
TDF:cmb

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